

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JUDGE JACQUELINE SCOTT CORLEY

Case No. 16-cv-04288-JSC

CASE NAME: Hymes v. Bliss

NOTE FROM THE JURY

Note No. 1

Date 12/11/18

Time 1:45 pm.

1. The Jury has reached a unanimous verdict ()

or

2. The Jury has the following question:

What are the consequences of us not coming
to a unanimous decision?

Joan Cleary
Foreperson of the Jury

Response to Jury Note No. 1, December 11, 2018

If the jury does not reach a unanimous verdict on a particular claim against a particular defendant, then that would result in a mistrial on that claim, and that particular claim may have to be tried again. The Court encourages the jury to continue their deliberations.

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NOTE FROM THE JURY

Note No. 2

Date 12/12/18

Time 9:20 am

1. The Jury has reached a unanimous verdict ()

or

2. The Jury has the following question:

if deputy Jones 5th amendment plea can ^{infer} ~~assume~~ that he either a). is protecting himself from something he did or b) protecting himself from something he saw & failed to report, And we have reason to believe (based on the evidence) that he did not physically do anything... the logical conclusion is that Jacqueline Foreperson of the Jury he saw something that he failed to report on... Our question then is, are we allowed to conclude that one of the other officers committed an act that Jones failed to report (or intervene with) by way of circumstantial evidence, or does that violate the terms of the 5th amendment right that "~~any~~ ~~inference~~ you may not draw the inference against any defendant other than the defendant who invoked the 5th Amendment?"

Answer to Jury's Question No. 2

December 12, 2018

You are permitted to find that one of the other deputies committed an act that Jones failed to report (or intervene with) based on circumstantial evidence *other than* Mr. Jones' invocation of the Fifth Amendment. Mr. Jones' invocation of the Fifth Amendment cannot play a role in your finding that another deputy committed a particular act.

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NOTE FROM THE JURY

Note No. 3

Date 12/12/18

Time 11:25 AM

1. The Jury has reached a unanimous verdict ()

or

2. The Jury has the following question:

In the event of a unanimous decision, are
we permitted (the jury) to make a statement?
(to the court).

John Cleary
Foreperson of the Jury

In other words:

Upon the reading of the verdict, ~~are~~ is the jury permitted to make an additional statement to the court. If so, what would be the conditions?

after the verdict is rendered, and the jury is discharged, the court will speak to the jury in the jury room.

Quinn S →

Q.4

11:53 AM

Restatement

- ① Is it possible for the jury to communicate a statement directly to the plaintiff and defendants at the time of the verdict?

if not

- ② Is it possible for "the court" to convey to the plaintiff + defense the information communicated per the previous response [the jury communicated in the jury room after the verdict.]

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NOTE FROM THE JURY

Note No. 5

Date 12/12/2018

Time 1246

1. The Jury has reached a unanimous verdict ()

or

2. The Jury has the following question:

The jury is hung on some counts
and have a verdict on some counts. We feel
we have fully exhausted all deliberations.


Foreperson of the Jury

What is the process from here?
Should we take 1/2 hour for lunch
now?